

KIRTON LAW FIRM

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November 8, 2021

VIA ELECTRONIC FILING

Honorable Paul G. Gardephe
United States District Judge
Thurgood Marshall
United States Courthouse
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Alexei Saab, 19 cr. 676 (PGG)*

Dear Judge Gardephe:

I represent Alexei Saab in the above-referenced matter. This Court set a trial date of January 10, 2022. The Defense requests an adjournment of the trial to the Spring of 2022.

The Defense filed a number of motions in this case.¹ None of the issues have been decided as of today. There is also one issue that is not fully briefed. The CIPA issue is still outstanding.² The resolution of that issue may spark additional motion practice. If the Court rules against our CIPA request, the Defense will request an opportunity to brief the issue fully. If the Court grants our CIPA motion, it may allow the Defense to supplement one or more pending motions.³

The Court set December 13, 2021, for motions in limine. It will be difficult, if not impossible, for the Defense to file motions in limine with so many issues outstanding. The Defense will be at a significant disadvantage in devising a reasonable trial strategy for a January 10, 2022, trial. The Defense understands that the Southern District of New York is not fully reopened, and the selection of trial dates is subject to a detailed process. The Defense is aware that the deadline to select trial dates for the Spring of 2022 is fast approaching. Lead Counsel has a four-defendant trial scheduled for March 28, 2022, but is otherwise available. Associate

¹ US PACER Docket Numbers 26,67,87,117 and 126.

² US PACER Docket Number 126.

³ US PACER Docket Numbers 87 and 117.

Counsel is available in the Spring of 2022. The Defense expects this trial to last for two (2) weeks.⁴ The Defense asks for a trial date in the Spring of 2022.⁵ The Government opposes this request.

Please contact me if you have any questions or concerns.

Sincerely,

s/Marlon G. Kirton

Marlon G. Kirton, Esq.

cc: Jason Richman, Assistant United States Attorney (via electronic mail)
Samuel Adelsberg, Assistant United States Attorney (via electronic mail)
Esere Onaodowan, Esq. (via electronic mail)

Memo Endorsed: The application is denied. Trial will remain scheduled for January 10, 2022, and all pretrial deadlines remain in effect. An order is forthcoming that will resolve the outstanding pretrial motions.

SO ORDERED.



Paul G. Gardephe
United States District Judge

Dated: November 12, 2021

⁴ The Defense consulted with the Government regarding the length of the trial.

⁵ The Defense is available on or after April 11, 2022.